

# **Exhibit A**

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

MOTOROLA INC.,	)	<b>Case No. 1:08-cv-05427</b>
	)	
Plaintiff,	)	
	)	
v.	)	
	)	
LEMKO CORPORATION, XIAOHONG	)	
SHENG, SHAOWEI PAN, HANJUAN	)	
JIN, XIAOHUA WU, XUEFENG BAI,	)	
NICHOLAS LABUN, BOHDAN	)	<b>Judge Matthew F. Kennelly</b>
PYSKIR, HECHUN CAI, JINZHONG	)	
ZHANG, ANGEL FAVILA, ANKUR	)	
SAXENA, RAYMOND HOWELL, FAYE	)	<b>Magistrate Judge Geraldine Soat Brown</b>
VORICK, NICHOLAS DESAI,	)	
	)	
Defendants.	)	
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LEMKO CORPORATION, SHAOWEI	)	
PAN, XIAOHUA WU and XIAOHONG	)	
SHENG,	)	
Counterclaim Plaintiffs,	)	
	)	
v.	)	
	)	
MOTOROLA INC.,	)	
	)	
Counterclaim Defendant.	)	
	)	

**PLAINTIFF MOTOROLA'S THIRD SET OF INTERROGATORIES (NOS. 13-19) TO  
DEFENDANT LEMKO CORPORATION**

Plaintiff Motorola, Inc. (now known as Motorola Solutions, Inc., hereinafter "Motorola"), by and through its attorneys, pursuant to Federal Rule of Civil Procedure 33, hereby requests that Defendant Lemko Corporation ("Lemko") answer under oath the following Interrogatories set forth below, in accordance with the Definitions and Instructions herein, and serve a copy of such answers within thirty (30) days of the date of service.

### **DEFINITIONS AND INSTRUCTIONS**

1. The term “you,” “your,” and “Lemko” shall refer to Defendant Lemko Corporation including any affiliated or related companies or entities, any predecessors, current or former subsidiaries, or current or former parent companies, affiliates or divisions and their present and former officers, directors, employees, attorneys, agents, consultants, and all other persons acting or purporting to act on its behalf. The term “Lemko personnel” shall refer to Defendant Lemko’s present and former officers, directors, employees, consultants, attorneys, agents, and all other persons acting or purporting to act on its behalf.

2. The term “person” means person and persons or people, and includes any natural person and/or corporations, companies, associations, partnerships, firms, governmental bodies, hospital, charitable institutions, or any other organization or entity.

3. The term “document” means, but is not limited to, the original and any nonidentical copy of any written, printed, or graphic material, photographic matter, sound reproduction, or computer input, output or extract (whether image, data, or code), including any correspondence, teletype message, memorandum of oral statements, conversations, and/or events, letters, emails, facsimiles, telegrams, personnel files, notes, reports, compilations, studies, tabulations, tallies, maps, diagrams, sketches, graphs, plans, pictures, records, securities, certificates, certificates of deposit, agreements, contracts, or licenses, however produced, reproduced or recorded, whether physically, mechanically, or electronically, which: 1) is now or was formerly in the possession, custody, or control of Defendant Lemko, or 2) is known or believed to be responsive to any of the following requests, regardless of who now has or formerly had custody, possession, or control.

4. The words “identify” or “identity,” when used with regard to a person, require that the full name, address, and telephone number of such persons be provided, together with the identity of said person’s employer, business address, and the business telephone number. When used with regard to a business organization, “identity” or “identify” requires that the organization’s name and business address be stated.

5. “Related” or “relating” shall each mean and include contain or containing, constitute or constituting, comprise or comprising, refer or referring, represent or representing, describe or describing, discuss or discussing, and record or recording, explain or explaining, portray or portraying, and depict or depicting.

6. “Maintained” shall mean any means by which a document, as defined herein, was managed, preserved, retained, stored, or otherwise kept in existence.

7. “Date” means the exact day, month, and year if ascertainable, or if not ascertainable, the best approximation of the date. An approximation may include explaining the date in terms of relationship to other events.

8. If you assert that an interrogatory is objectionable, please state with specificity, according to Federal Rule of Civil Procedure 33(b)(4), the grounds for objecting, which parts of the interrogatory you object to, or the response it requires, and why. If you assert that part of an interrogatory is objectionable, please respond to the remaining parts of the interrogatory to which you do not object.

9. In the event that Defendant Lemko wishes to assert either attorney-client privilege, work-product, and/or any other privilege as to any document for which identification and production has been requested, then as to each document subject to such assertion, Motorola requests that Defendant Lemko provide such identification to include:

- a. the nature of the document;
  - b. the sender, author, and recipient of any and all copies;
  - c. the date of the document;
  - d. the name of each person to whom the original or any copy was circulated;
  - e. the names appearing on any circulation list of Defendant Lemko associated with such document;
  - f. a summary statement of the subject matter(s) of such document in sufficient detail to enable the Court to conduct an analysis to reach a determination of any claim of privilege or work product; and
  - g. a separate indication of the basis of privilege or work product for each such document.
10. Unless the text clearly requires otherwise, you should interpret:
- a. The singular form of a word to include the plural and vice versa;
  - b. the conjunctive “and” to include the disjunctive “or” and vice versa;
  - c. the word “any” to include the word “all” and vice versa; and
  - d. the past tense of a word to include the present tense and vice versa.

### **INTERROGATORIES**

13. Identify by file name, file path and any applicable bates numbers, the source code, including prior and present versions, for each of Lemko’s WLL, CASSE, dma, dMARC, dMAX, dMAG, ODC, EMMA, CORY, LEA, Node1, Node2, Node2A, d3900BTS, and On Demand Cellular prototypes, demonstration systems, laboratory systems or products.

14. For each of the prototypes, demonstration systems, laboratory systems, or products identified in Interrogatory No. 13, identify by file name, file path and any applicable

bates numbers, documents sufficient to show the creation, development, design and architecture of such prototypes, demonstration systems, laboratory systems or products.

15. For each of the prototypes, demonstration systems, laboratory systems or products identified in Interrogatory No. 13, identify the number of units sold, the purchasers of such units, and gross and net revenue derived from such sales.

16. For each patent or patent application listed below, state the basis for your contention that you are the rightful owner and/or assignee of the patent or patent application:

<b>Patent</b>	<b>Title</b>	<b>Inventor(s)</b>	<b>Filing Date</b>	<b>No. of Claims</b>
7,486,967 B2	System, method, and device for providing communications using a distributed mobile architecture	Shaowei Pan, Nicholas Labun	04/13/05	24
7,539,158 B2	System, method and device for providing communications using a distributed mobile architecture	Shaowei Pan	11/08/04	15
7,548,763 B2	System, method, and device for providing communications using a distributed mobile architecture	Shaowei Pan	04/13/05	18
7,653,414 B2	System, method, and device for providing communications using a distributed mobile architecture	Shaowei Pan	02/24/06	21
7,840,230 B2	Communications using a distributed mobile architecture	Shaowei Pan	05/22/09	18
7,855,988 B2	System, method, and device for routing calls using a distributed mobile architecture	Shaowei Pan	07/14/08	45
7,856,233 B2	System, method, and device for providing communications using a distributed mobile architecture	Shaowei Pan	03/30/06	17
7,979,066 B2	Multiple IMSI connections	Shaowei Pan	09/25/08	21

<b>Application</b>	<b>Title</b>	<b>Inventor(s)</b>	<b>Filing Date</b>	<b>No. of Claims</b>
11/451,238	Roaming mobile subscriber registration in a distributed mobile architecture	Shaowei Pan	06/12/06	27
11/858,762	System, method, and device for providing communications using a distributed mobile architecture	Shaowei Pan, Nicholas Labun	09/20/07	24
11/955,017	System, method, and device to control wireless communications	Shaowei Pan, Nicholas Labun	12/12/07	25
12/108,209	System and method to control wireless communications	Shaowei Pan	04/23/08	25
12/146,618	System and method to control wireless communications	Shaowei Pan	06/26/08	25
12/163,601	Fault Tolerant Distributed Mobile Architecture	Shaowei Pan	06/27/08	34
12/171,840	OAMP for distributed mobile architecture	Shaowei Pan	07/11/08	30
12/425,147	Providing communication using a distributed mobile architecture	Shaowei Pan	04/16/09	20
PCT/US2009/045951	System and method to control wireless communications	Shaowei Pan	06/02/09	25
PCT/US2009/045957	Fault tolerant distributed mobile architecture	Shaowei Pan	06/02/09	34

17. Identify by patent and/or application number and describe in detail the “patents,” “patent submissions,” and/or “12 key patent applications which are in the filing process” referred to within Documents 17011, 25424, 11535, 10983, and LEM 112756.

18. Describe in detail the “numerous business ventures and proposals” between Motorola and Lemko as contended in paragraph 40 of Defendants Lemko Corporation’s, Shaowei Pan’s, and Nicholas Labun’s Statement of Undisputed Facts in Support of Their Motion for Summary Judgment on Motorola’s Declaratory Judgment Claim for Patent Ownership, including for each “business venture or proposal,” the date(s) of the “business venture or proposals,” the persons involved in or otherwise aware of the “business venture or proposal,” the nature of the “business venture or proposal,” any and all information conveyed in support of the

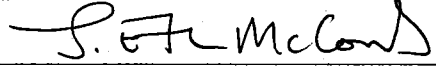
“business venture or proposal,” and any and all documents constituting, or referring or relating to, the “business venture or proposal.”

19. Describe in detail any disclosure by you or others of the “Lemko technology embodied in the disputed patents and patent applications,” as referenced in paragraph 44 of Defendants Lemko Corporation’s, Shaowei Pan’s, and Nicholas Labun’s Statement of Undisputed Facts in Support of Their Motion for Summary Judgment on Motorola’s Declaratory Judgment Claim for Patent Ownership, to any Motorola officer or key employee, including the date(s) of the disclosure, the manner in which the disclosure took place, the information conveyed, any other persons aware of the disclosure, and any and all documents constituting, or referring or relating to, that disclosure.



DATED: September 7, 2011

Respectfully Submitted,

By: 

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*Attorneys for Plaintiff Motorola, Inc.*

**CERTIFICATE OF SERVICE**

The undersigned certifies that the foregoing was served via hand delivery, this 7th day of September, 2011, upon:

Raymond P. Niro (rniro@nshn.com)  
Raymond P. Niro, Jr. (rnirojr@nshn.com)  
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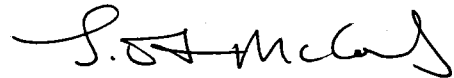
and via email, this 7th day of September, 2011, upon:

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